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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,712	08/29/2000	Rico Mariani	MS1-579US	1048
22801	7590	01/11/2005	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			CHEN, SHIN HON	
			ART UNIT	PAPER NUMBER
			2131	

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/650,712

Applicant(s)

MARIANI ET AL.

Examiner

Shin-Hon Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 17-23, 27, 28, 30-32, and 34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-10, 17-23, 27, 28, 30-32, and 34 have been examined.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 5, 7-10, 17, 18, and 20-23 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Balasubramaniam et al. U.S. Pat. No. 6499109 (hereinafter Bal).
4. As per claim 1, Bal discloses a method, comprising: associating a digital signature with a web page (Bal: column 7 lines 32-38); and delivering the web page to an electronic device capable of authenticating the digital signature and executing at least a portion of the web page after the digital signature is authenticated (Bal: column 2 line 43 – column 3 line 19).
5. As per claim 2, Bal discloses the method as recited in claim 1. Bal further discloses wherein the associating further comprises attaching the digital signature to the web page (Bal: column 7 lines 32-36).

6. As per claim 5, Bal discloses the method as recited in claim 1. Bal further discloses wherein the web page contains script that, when executed, invokes executable code that is executed on the electronic device executing the web page (Bal: column 2 lines 43-65).

7. As per claim 7, Bal discloses a method, comprising: receiving a web page from a server, the web page containing executable script that, when executed, invokes a control object (Bal: column 7 lines 26-51), the web page having a digital signature that can be used to identifies a source of the web page (Bal: column 7 lines 26-51); determining whether the source of the web page is authentic via the digital signature (Bal: column 7 lines 26-51); and in an event that the source of the web page is authentic, displaying the web page and invoking the control object (Bal: column 7 lines 26-51).

8. As per claim 8, Bal discloses the method as recited in claim 7. Bal further discloses in an event that the source of the web page is not authentic, refusing to invoke the control object (Bal: column 7 lines 26-51).

9. As per claim 9, Bal discloses the method as recited in claim 7. Bal further discloses wherein determining further comprises identifying the source of the web page (Bal: column 7 lines 26-51).

10. As per claim 10, Bal discloses the method as recited in claim 7. Bal further discloses designating one or more authorized sources from which a web page that invokes a control object

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may be received; and executing script contained in the web page only if the determining indicates that the web page was received from one of one or more authorized sources (Bal: column 8 lines 32-63).

11. As per claim 17, Bal discloses a system, comprising: a web browser configured to access a web page having a digital signature (Bal: column 1 line 19 – column 3 line 19); a processor configured to execute script contained in the web page (Bal: column 1 line 19 – column 3 line 19); an executable control object that may be invoked by the script in the web page and is executable on the processor (Bal: column 1 line 19 – column 3 line 19); and a confirmation module configured to authenticate the digital signature to determine based on authenticity of the digital signature, whether the control object should be invoked (Bal: column 1 line 19 – column 3 line 19; column 7 lines 26-51).

12. As per claim 18, Bal discloses the system as recited in claim 17. Bal further discloses wherein the confirmation module is called by the control object (Bal: column 7 lines 26-51).

13. As per claim 20, Bal discloses the system as recited in claim 17. Bal further discloses wherein the confirmation module is included in the web browser (Bal: column 7 lines 26-51 and column 3 lines 7-19).

14. As per claim 21, Bal discloses the system as recited in claim 17. Bal further discloses wherein the confirmation module is further configured to determine if the web page comes from

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a source that is authorized to invoke the control object and the control object is invoked only if the source of the web page is authorized to invoke the control object (Bal: column 7 lines 26-51).

15. As per claim 22, the system as recited in claim 17, wherein the confirmation module is called by the web page prior to the web page invoking the control object (Bal: column 7 lines 26-51).

16. As per claim 23, Bal discloses the system as recited in claim 17, Bal further discloses wherein the digital signature module is not invoked if the web page does not have a digital signature (Bal: column 7 lines 29-52).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bal in view of Yoshiura and further in view of Liu U.S. Pat. No. 6058482 (hereinafter Liu).

19. As per claim 3, Bal discloses the method as recited in claim 1. Bal does not explicitly disclose the method comprising: determining if the web page includes code to invoke a control

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object; and deriving the digital signature and associating the digital signature with the web page only if the web page includes code to invoke a control object. However, Yoshiura discloses determining if a mark with digital signature should be derived and attach to a web page (Yoshiura: column 30 lines 37-55). It would have been obvious to one having ordinary skill in the art to combine the teachings of Yoshiura within the system of Bal because it increases security by determining whether the sender should get the digital signature. Bal as modified does not explicitly determining if the web page includes code to invoke a control object. However, Liu discloses that limitation (Liu: column 8 lines 1-50). It would have been obvious to one having ordinary skill in the art to combine the teachings of Liu within the combination of Bal-Yoshiura because it increases efficiency by avoiding unnecessary further process.

20. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bal in view of Yoshiura.

21. As per claim 4, Bal as modified discloses the method as recited in claim 1. Bal as modified further discloses wherein the web page includes a confirmation module that is used by the electronic device to authenticate the digital signature (Yoshiura: column 30 lines 37-55: the mark).

22. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bal in view of Myer et al. U.S. Pat. No. 6615088 (hereinafter Myer).

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23. As per claim 6, Bal discloses the method as recited in claim 1. Bal does not explicitly disclose wherein the web page is generated in an active server page (ASP) environment.

However, Myer discloses that limitation (Myer: column 3 lines 47-54). It would have been obvious to one having ordinary skill in the art to combine the teachings of Myers within the system of Bal because ASP makes web pages more dynamic and interactive.

24. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshiura in view of Bal and further in view of Renaud et al. U.S. Pat. No. 59580521 (hereinafter Renaud).

25. As per claim 15, Yoshiura discloses the system as recited in claim 14. Yoshiura does not explicitly disclose wherein the confirmation module is included in the control object. However, Bal discloses that verifying digital signature before executing the control object (Bal: column 7 lines 37-38). It would have been obvious to one having ordinary skill in the art to interpret the mark disclosed by Yoshiura as the digital signature that corresponds to the control software. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Bal within the system of Yoshiura because it is well known in the art to authenticate digital signature associated with a control software. Yoshiura as modified does not explicitly disclose the confirmation module is included in the control object. However, Renaud discloses that limitation (Renaud: column 4 lines 15-18). It is well known in the art to use control objects to perform security functions. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Renaud within the combination of Yoshiura-Bal.

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26. Claims 19, 32, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bal in view of Renaud.

27. As per claim 19, Bal discloses the system as recited in claim 17. Bal does not explicitly disclose wherein the confirmation module is included in the control object (Bal: column 7 lines 26-51). However, Renaud discloses that limitation (Renaud: column 4 lines 15-19). It is well known in the art to use control objects to perform security functions. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Renaud within the system of Bal.

28. As per claim 32, Bal discloses computer-readable medium, comprising computer-executable instructions that, when executed on a computer, perform the following: authenticating a web page that invokes the control object, wherein the authenticating is performed based on a digital signature associated with the web page (Bal: column 7 lines 29-52); and executing a data-handling task on the computer if the web page is determined to be authentic (Bal: column 7 lines 29-52). Bal does not explicitly disclose a control object that performs the security functions. However, Renaud discloses that limitation (Renaud: column 4 lines 15-18). It is well known in the art to use control objects to perform security functions. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Renaud within the system of Bal.

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29. As per claim 34, Bal discloses the control object as recited in claim 32. Bal further discloses instructions to determine if a source of the web page is authorized to invoke the data-handling task prior to executing the data-handling task (Bal: column 7 lines 29-51).

30. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bal in view of Renaud and further in view of Yoshiura.

31. As per claim 25, Bal as modified discloses the web page as recited in claim 24. Bal as modified does not explicitly disclose wherein the digital signature is appended to the contents of the web page. However, Yoshiura discloses that limitation (Yoshiura: column 30 lines 43-55). It is well known in the art to append digital signature onto a data content. Therefore, it would have been obvious to one having ordinary skill in the art to combine the teachings of Yoshiura within the combination of Bal-Renaud.

32. Claims 27, 28, 30, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bal in view of Liu.

33. As per claim 27, Bal discloses a web browser contained on a computer-readable medium of a client computer, comprising computer-executable instructions that, when executed by the client computer, perform the following: determining if the web page has an digital signature; in an event that the web page has an associated digital signature, authenticating the web page using the digital signature (Bal: column 1 line 19 – column 3 line 19 and column 7 lines 26-51); and

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invoking the control object if the source of the web page is authenticated (Bal: column 1 line 19 – column 3 line 19). Bal does not explicitly disclose determining if a web page contains instructions to invoke a control object. However, Liu discloses that limitation (Liu: column 8 lines 1-50). It would have been obvious to one having ordinary skill in the art to combine the teachings of Liu within the system of Bal because it increases efficiency by avoiding unnecessary further process.

34. As per claim 28, Bal as modified discloses the web browser as recited in claim 27. Bal as modified further disclose the method comprising in an event that the web page does not have an associated digital signature, refusing to invoke the control object (Liu: column 8 lines 1-50).

Same rationale applies here as above in rejecting claim 43.

35. As per claim 30, Bal as modified discloses the web browser as recited in claim 27. Bal as modified further discloses determining if the web page contains control software (Liu: column 8 lines 1-50) and require all controls to have digital signature for authentication (Bal: column 3 lines 7-19); and wherein the authenticating the web page further comprises authenticating the web page only if the web page contains a digital signature (Bal: column 7 lines 32-38). Bal as modified indirectly disclose determining if the web page contains a digital signature.

36. As per claim 31, Bal as modified discloses the web browser as recited in claim 27. Bal as modified further discloses instructions to determine if an authenticated web page comes from a source that is authorized to invoke the control object (Bal: column 7 lines 29-51).

Response to Arguments

40. Applicant's arguments filed 7/29/2004 have been fully considered but they are not persuasive.

Regarding to the argument, applicant argues that the references do not disclose a web page having a digital signature and authenticating the digital signature by an electronic device. However, Bal discloses the web page has a control software program and the control software program has digital signature and the web page can be downloaded only if the digital signature is verified successfully. Therefore, the digital signature is associated with the web page through the software control program and is certainly associated with the web page.

Conclusion

41. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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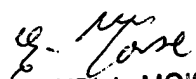
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (571) 272-3789. The examiner can normally be reached on Monday through Friday 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shin-Hon Chen
Examiner
Art Unit 2131

SC


EMMANUELL L. MOISE
PATENT EXAMINER